THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :21798 of 2007

DATED:11-10-2007

BETWEEN:

Gonuguntla Ramanjulu.

..... PETITIONER

AND

The District Collector,
Chittoor & 2 others.

.....RESPONDENTS

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ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Revenue appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the order of the 3rd respondent under Roc.A.No.858/2007, dated 26-06-2007, as illegal and arbitrary.

3. It is the case of the petitioner that an extent of Ac.4.20 guntas in Sy.No.76/2 situated at Venkatappakota village, Madanapalle mandal, Chittoor District was assigned in favour of the petitioner in the year, 1978. While so, the 3rd respondent-Tahsildar, Madanapalle issued a notice, dated 21-05-2007, as to why the DKT patta shall not be cancelled and the land shall not be resumed for the public purpose i.e., for providing house sites to the weaker sections. It is stated that though explanation has been submitted, but without considering the explanation the DKT patta was cancelled and resumption order has been passed by the 3rd respondent in Roc.A.858/2007, dated 26-06-2007. Aggrieved by the said resumption order of the 3rd respondent petitioner filed an appeal before the 2nd respondent-Revenue Divisional Officer, Madanapalle along with application for grant of stay on 08-07-2007. It is stated that even before considering the appeal, the 3rd respondent is taking steps to dispossess the petitioner. Hence, the present Writ Petition.

4. Having regard to the facts and circumstances of the case, 2nd respondent-Revenue Divisional Officer is directed to consider and dispose of the appeal filed by the petitioner against the order of the 3rd respondent-Tahsildar, Madanapalle in Roc.A.858/2007, dated 26-06-2007, as expeditiously as possible, and pending disposal of the appeal petitioner shall not be dispossessed.

5. Accordingly, Writ Petition is disposed of. There shall be no order as to costs.

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V.ESWARAIAH,J

11th October, 2007.

Note:

Issue operative portion of
the order by wire at party's costs.

B/o

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